

REMARKS/ARGUMENTS

Claims 1-4 and 6-9 are pending in this application. Claims 1, 3, 4, 8 and 9 are independent. Claims 1, 3, 4, 8 and 9 are amended. Claim 5 was previously cancelled without prejudice to, or disclaimer of, the subject matter therein.

On pages 2-3, the Office Action rejects claim 8 under 35 U.S.C. §101 on the ground that it is allegedly directed to non-statutory subject matter. Claim 8 is amended as suggested by the Office Action. In particular, claim 8 recites, “[a] computer readable medium containing code for a computer program.” It is respectfully submitted that claim 8 recites statutory subject matter under 35 U.S.C. §101. For at least the foregoing reasons, it is respectfully requested that the rejection of claim 8 as allegedly being directed to non-statutory subject matter be withdrawn.

On pages 3-10, the Office Action rejects claims 1-3 and 6-9 under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent No. 5,531,227 to Schneider in view of U.S. Patent No. 6,421,454 to Burke et al. (hereinafter “Burke”). This rejection is respectfully traversed.

Claims 1, 3 and 4 recite that, “a plurality of subsequent positions on the identified surface are sequentially selected by moving a cursor on the display screen over the resulting image, and an equivalent planar reformat is presented for every point on the identified surface that the cursor traversed when moved.” Claims 8 and 9 recite, “instructions to enable sequential selection of a plurality of subsequent positions on the identified surface by moving a cursor on a display screen showing an image of the identified surface, and instructions to present an equivalent planar reformat for every point on the identified surface that the cursor traversed when moved.”

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It is respectfully submitted that neither Schneider nor Burke disclose, teach or suggest the subject matter quoted above from claims 1, 3, 4, 8 and 9. Claims 2, 6 and 7 are allowable based at least on their dependency from claim 1.

For at least the foregoing reasons, it is respectfully requested that the rejection of claims 1-3 and 6-9 as allegedly being unpatentable over Schneider in view of Burke be withdrawn.

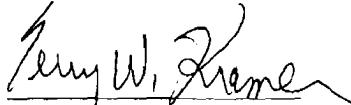
CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

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